

**H. R. 392.**

[Report No. 491.]

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IN THE HOUSE OF REPRESENTATIVES,

SEPTEMBER 16, 1850.

Read twice, and committed to the Committee of the Whole House on the state of the Union.

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Mr. BAYLY, from the Committee of Ways and Means, reported the following bill:

**A BILL**

Creating the office of Assistant Secretary of State, and for other purposes.

1       *Be it enacted by the Senate and House of Repre-*  
2       *sentatives of the United States of America in Congress*  
3       *assembled,* That there shall be in the Department of State,  
4       instead of the chief clerk created by the existing law, an  
5       officer called the Assistant Secretary of State, who shall  
6       be appointed by the President, by and with the advice and  
7       consent of the Senate; and before entering upon the du-  
8       ties of his office, he shall take an oath or affirmation to sup-  
9       port the Constitution of the United States, and well and  
10      faithfully to execute the trust confided to him.

1       SEC. 2. *And be it further enacted,* That it shall be  
2       the duty of the Assistant Secretary of State to take under  
3       his special care such branch or branches of the business

4 of the Department of State as may, from time to time, be  
5 assigned to him by the Secretary of State, with the appro-  
6 bation of the President of the United States; and that, in  
7 the discharge of the official duties so assigned to him, he  
8 shall have the same power and authority, and be subject to  
9 the same obligations, as are now or may hereafter be con-  
10 ferred or imposed by law on the Secretary of State, sub-  
11 ject, however, in all cases, to the direction of the latter.

1       SEC. 3. *And be it further enacted*, That in the ab-  
2 sence of the Secretary of State from the seat of govern-  
3 ment, or in case of vacancy in his office, the Department  
4 of State shall be in the charge of the Assistant Secretary  
5 of State, who shall perform all the duties thereof, until a  
6 successor shall have been appointed, or the vacancy other-  
7 wise supplied by the President. And in case the Secre-  
8 tary of State shall be incapacitated by illness, the charge  
9 of the department shall then also devolve upon the Assis-  
10 tant Secretary of State; but in every such case of inca-  
11 pacity, an order from the President of the United States,  
12 stating the fact of such incapacity, and addressed to the  
13 Assistant Secretary of State, shall be requisite before the  
14 latter can take charge of the department.

1       SEC. 4. *And be it further enacted*, That the Assistant  
2 Secretary of State shall be allowed and paid a compensa-  
3 tion at the rate of three thousand dollars per annum.

1        SEC 5. *And be it further enacted,* That it shall be  
2 lawful for the Secretary of State to employ, in addition to  
3 the clerks authorized by existing laws, four principal  
4 clerks, whose salaries, respectively, shall not exceed the  
5 sum of two thousand dollars per annum; and one clerk  
6 whose salary shall not exceed fourteen hundred dollars  
7 per annum.

1        SEC. 6. *And be it further enacted*, That this act shall  
2 be in force from and after its passage ; and it shall be the  
3 duty of the Secretary of State, with the least practical de-  
4 lay, to organize the department in such manner as, in his  
5 judgment, with the approval of the President of the United  
6 States, shall be best adapted to give it efficiency ; making  
7 such distribution and assignment of its various duties  
8 among the several officers employed therein, as shall seem  
9 most advisable. And the organization so determined upon  
10 shall be reported to Congress at their next session.

1        SEC. 7. *And be it further enacted*, That all laws now  
2 in force, so far as they may be inconsistent with the pro-  
3 visions of this act, shall be, and they are hereby, repealed.

**SEC. 8.** *And be it further enacted,* That for the purpose of carrying this act into immediate effect, the sum of \_\_\_\_\_ dollars be, and it hereby is, appropriated, to be paid out of any money in the treasury not otherwise appropriated.